



DRAINAGE (IRELAND) BILL.

AMENDMENTS

TO BE PROPOSED

BY LORD ELIOT,

In Committee on the "Bill to promote the Drainage of Lands, and Improvement of Navigation and Water-power in connexion with such Drainage, in Ireland."

- Clause 7, line 26, *After "and" insert "it shall be lawful for any such Grand Jury"*
- " 31, *After "deposit," insert "or deposits"*
- Clause 9, line 43, *After "examine" insert "on oath or otherwise"*
- Clause 12, line 4, *After "the" omit "owners" and insert "reputed proprietors"*
- " 6, *After "and the" insert "reputed"*
- Clause 15, line 7, *After "Act," omit "as next hereinafter mentioned,"*
- Clause 19, line 7, *Omit "similar" and after "presentment" insert "for any public work"*
- " 10, *After "any" insert "such"—and after "apply" omit "to such presentment so to be made"*
- " 11, *Omit "under this Act, and" and after "traverse" omit "thereof"*
- Clause 23, line 14, *After "years" omit "either absolute or"*
- " 15, *Omit "determinable or"*
- Clause 24, line 22, *After "proprietor," insert "the assent of"—and after "be" (lines 22, 23) omit "considered the proprietor" and insert "taken into account in respect"*
- " lines 23, 24, *After "lands" omit "for the purpose of assenting under the provisions of this Act"*
- Clause 52, Marginal Note, *After "making" omit "such"—and after "repairs" omit "as were"*

o.72.

A

Clause

- Page 29. Clause 61, line 34, *After* "county," *omit* "not less than" and *insert*
 "next after the expiration of"
- " " 34, *After* "Secretary," *omit* "as if the same were a"
 and *insert* "in like manner as any person may
 be empowered to traverse any"—*After* "for"
insert "any road, for"—and *after* "damages"
omit "made"
- " " 36, *After* "such" *omit* "reduced" and *after* "sum,"
omit "if any,"
- Page 51. Clause 107, line 4, *After* "the" *omit* "respective owners, lessees or
 occupiers" and *insert* "several quantities be-
 longing to the reputed proprietors respectively"
- " " 11, *After* "sums" *omit* "with which" and *insert*
 "payable in respect of the several parcels or
 portions of the"
- " " 12, *After* "drainage" *omit* "shall be charged"
- Page 50. Clause 108, line 25, *After* "Juries" *insert* "or committees thereof"
- Page 53. Clause 111, line 17, *After* "contributions" *omit* "which" and *insert*
 "payable in respect of the several parcels or
 portions of the"
- " " 18, *Before* "by" *insert* "or" and *after* "Act" *omit*
 "shall be charged with"
- " " 22, *After* "on" *insert* "such several parcels or por-
 tions of"
- " " 29, *After* "upon" *omit* "all" and *insert* "so much
 of any"
- " " 30, *After* "land," *omit* "any part whereof shall be"
- " " 31, *After* "and" *omit* "which shall stand"
- " " 34, *After* "instruments" *insert* "as the said Com-
 missioners shall by the said award, or any
 instrument under their hands and seals, and
 enrolled in the said Rolls Office, direct, limit
 and appoint, having regard to the sufficiency
 of the said lands to satisfy and secure the
 charge thereon,"
- " " 35, *After* "award" *insert* "Provided always, That if
 at any time previous to the issuing of the final
 notice by the said Commissioners, hereinbefore
 directed to be given in the Dublin Gazette and
 otherwise, any proprietor of land situate within
 the limit aforesaid of the land so drained or
 improved, and which land would, under the
 provisions hereinbefore contained, become
 chargeable with any portion of the expenses of
 such

such improvement, shall prefer to give other security satisfactory to the Commissioners, in lieu of the land so liable, together with the land so drained, that then and in such case the said Commissioners shall accept such security, and thereupon the other land of such proprietor, not so drained or improved, shall stand freed and discharged from all liability to any portion of the expense of such improvement."

- 147 13. Clause 112, line 36, *After* "any" *omit* "such"—and *after* "money" *omit* "as last mentioned" and *insert* "so charged as aforesaid,"
- 147 55. Clause 116, line 42, *After* "proportion of" *omit* "the" and *insert* "any"
- 147 56. Clause 117, line 7, *After* "life" *insert* "being a proprietor whose estate, as such, may be liable to the payment of any expenses chargeable under or by virtue of the provisions of this Act"
- " Clause 118, line 25, *After* "occupant" *omit* "or" and *insert* "and"
- " 37, *After* "persons" *insert* "and every intermediate landlord"
- " Clause 119, line 44, *After* "every" *omit* "tenant or"—and *after* "who" *insert* "not being a proprietor thereof within the meaning of this Act"
- 147 57. Clause 119, line 1, *Omit* " of his landlord, under any of the provisions hereinbefore contained," and *insert* "any sum charged thereupon under and by virtue of the provisions of this Act,"
- " " 3, *After* "aforesaid" *insert* "and the next immediate landlord of such occupier, if not himself a proprietor of such land within the meaning of this Act, shall and he is hereby authorized to make the like deduction from such of the rent payable by him, and so on, each sub-tenant and mesne tenant of such land, not being a proprietor thereof within the meaning of this Act, being entitled to deduct the sum so charged upon such land under or by virtue of this Act from the rent payable to his next immediate landlord, until such deduction shall be made from the rent payable to a person being a proprietor within the meaning of this Act, who shall not be entitled to make any such deduction from the rent, if any, payable by him ;"
- 0.72. A 2 Clause

- Page 57. Clause 119, lines 4, 5, *Omit* " and the landlord of such land is hereby required to allow such deduction and payment"
- " " line 5, *After* " every such " *omit* " tenant or "—*and after* " occupier " *insert* " sub-tenant or mesne tenant "
- " " 10, *After* " enable any " *omit* " tenant or "—*and after* " occupier " *insert* " or tenant "
- Page 59. Clause 122, line 8, *After* " the " *insert* " and the said several sums so rated and assessed shall be charged on the land so drained or improved, in preference to and with priority over all incumbrances thereon: Provided nevertheless, That any quit-rent or chief-rent, or other incumbrance thereon, previous to the date of the final award hereinbefore mentioned, shall have priority to such sums of money so rated or assessed, to the extent of the value of such land before the improvements were effected, but no further; and "
- Page 67. Clause 144, line 35, *After* " in " *omit* " and for " and *insert* " the division of "
- Page 71. Clause 154, line 38, *After* " as " *omit* " the " and *insert* " such "
- " " 39, *Before* " Justices " *omit* " Justice or "
- " " 40, *After* " such " *omit* " Justice or "
- " " 41, *After* " Peace " *omit* " is and "—*and after* " if " *omit* " he or "
- " " 43, *After* " as " *omit* " the Justice or " and *insert* " such "
- " " line last, *Before* " Justices " *insert* " said "
- Page 72. " line 2, *Before* " Justices " *insert* " said "
- " Clause 157, line 26, *After* " thereof " *insert* " and should the Directors or Managers of any canal in Ireland be dissatisfied with the decision of the Commissioners in respect to any work proposed to be made by the said Commissioners, and which work, in the opinion of such Directors and Managers, shall be injurious to navigation, or in respect of the adequacy of the provisions proposed to be made for the necessary supply of water to any canal, it shall be lawful for such Managers and Directors to appeal against such decision to the Assistant Barrister, and a jury, in the same manner and under and subject to the same restrictions and provisions as appeals are by this Act directed to be made by persons dissatisfied with the adjudication of the Commissioners, in respect

respect of any compensation awarded for the value of or damage done to any land under the provisions of this Act."

After Clause 159, insert the following Clause:—

"And be it Enacted, That wheresoever throughout this Act any act, matter or thing may be directed to be done at the Petty Sessions for the district wherein any place may be situate, the same shall and may be done at the Petty Sessions for the next adjoining district, in any case when such place shall not be included in any such district."

Clause 160, line 24, After "partnership" insert "and the expression 'Chief Rent' shall extend to and include all Rent or Rents reserved upon or payable out of or in respect of the estate or interest of any person being a proprietor within the meaning of this Act, or any estate or interest paramount thereto;"

DRAINAGE (IRELAND) BILL.

AMENDMENTS

TO BE PROPOSED

BY LORD ELLIOT,

In Committee on the "Bill to promote the
Drainage of Lands, and Improvement of
Navigation and Water-power in connexion
with such Drainage, in Ireland."

June 1842.

0.72.

Uniter 105.